

ELC 8.1
ACTION ON ADJUDICATION OF INCOMPETENCY

(a) Grounds. The Association must automatically transfer a lawyer from active to disability inactive membership status upon receipt of a certified copy of the judgment, order, or other appropriate document demonstrating that the lawyer:

- (1) was found to be incapable of assisting in his or her own defense in a criminal action;
- (2) was acquitted of a crime based on insanity;
- (3) had a guardian (but not a limited guardian) appointed for his or her person or estate on a finding of incompetency; or
- (4) was found to be mentally incapable of conducting the practice of law in any other jurisdiction.

(b) Notice to Lawyer. The Association must forthwith notify the disabled lawyer and his or her guardian, if one has been appointed, of the transfer to disability inactive status. The Association must also notify the Supreme Court of the transfer and provide a copy of the judgment, order, or other appropriate document on which the transfer was based.

[Adopted effective October 1, 2002.]
